

CALL TO ORDER

Mayor Mazza opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Rob Haynes, Matt Severino, Patricia Dziubek, Frank Mazza.
Absent: William Bischoff
Others Present: J. Peter Jost, Esq., Attorney, John Reymann, Twp. Engineer, Ella M. Ruta, Township Clerk

APPROVAL OF MINUTES

- a. Regular and Executive Session Meeting Minutes of January 24, 2008.

Mr. Haynes made a motion to approve the said minutes as amended. Mr. Severino seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

VISITORS**REPORTS RECEIVED**

- a. Road Dept. – 02/02; 02/08
b. Municipal Court – January 2008
c. Environmental Commission

CORRESPONDENCE

Mrs. Dziubek mentioned the following:

- Letter regarding agreement COAH RCA’s requirements between Union Twp. and Lambertville. She questioned the time the letter was received. Mrs. Dziubek will contact Mary Beth Lonergan on this issue.

Mr. Haynes mentioned the following:

- Letter from the League of Municipalities concerning Bill S-770 and A-1645 mandating hiring of Qualified Purchasing Agent. Mr. Haynes would like to adopt a resolution opposing said Bills.

At this time a resolution opposing the proposed conversion of Route 440 into a toll Road was presented for adoption:

RESOLUTION #2008-40

Resolution Opposing the Proposed Conversion
of Route 440 into a Toll Road

Whereas, in an attempt to address the budget crisis in the State of New Jersey, Governor Jon S. Corzine, proposed an asset monetization plan during his State of the State Address on Tuesday, January 08, 2008; and

Whereas, within a section of this plan is a proposal to increase the tolls on the Atlantic City Expressway, the New Jersey Turnpike and the Garden State Parkway, Fifty (50%) percent; plus the rate of inflation; and

Whereas. In addition to the proposed increases, Governor Corzine also announced this intentions to convert a section of Route 440, running through Middlesex County into a toll road for the first time in its history; and

Whereas, this section of Route 440 is not exclusively used by out-of-state or commercial travelers; and

Whereas, this section of Route 440 is instead more commonly used by the residents of Middlesex county as a local road and therefore would significantly impede their everyday transportation; and

Whereas, the imposition of tolls on Route 440 would have a disproportionate and deleterious financial impact upon the residents of Middlesex County;

Now, Therefore, Be It Resolved, that the Township of Union in the County of Hunterdon wishes to go on record as strongly opposing the conversion of Route 440 into a toll road; and

Be It Further Resolved, that the Township Committee of the Township of Union does hereby join the County of Middlesex in expressing their vigorous opposition to the proposal by Governor Jon Corzine to convert Route 440 into a toll road; and

Be It Further Resolved, that the Township of Union Committee does hereby implore Hunterdon County's legislative Delegation to take all steps required to defeat said proposal; and

Be It Further Resolved, that the Clerk of the Township of Union shall forward a copy of this Resolution to Governor Corzine, the Senators and Assemblypersons representing Hunterdon County, to the County of Middlesex, all New Jersey Boards of Chosen Freeholders, the New Jersey League of Municipalities and all of Hunterdon County Municipalities.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Severino seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

Mayor Mazza mentioned the following:

- Reminded of NJ Transportation meeting on February 26, at the Hunterdon County Complex in Flemington.

PUBLIC COMMENTS – none

PUBLIC HEARING – 2nd reading – none

OLD BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION 2008-41
Re: 911 Street Names and Addresses
Driftway East and Driftway West

WHEREAS, a private road in Union Township known as The Driftway no longer connects County Route 625 to Baptist Church Road; and

WHEREAS, the house numbers on Baptist Church Road are in close proximity to the numbers on The Driftway and;

WHEREAS, the Union Township 911 Coordinator has determined that the above concerns could cause confusion during an emergency, and could delay help getting to the residents of The Driftway when needed; and

WHEREAS, with the above concerns in mind the Union Township 911 Coordinator has recommended changing the name of the two sections of The Driftway, designating that portion of The Driftway accessed via Baptist Church Road as “Driftway West” and that portion accessed via County Route 625 as “Driftway East” and assigning new numbers to the houses located thereon; and

WHEREAS, the above changes have been discussed by the Union Township 911 Coordinator with the Hampton Postmaster and the Hunterdon County 911 Coordinator, and they both agree that the above changes are necessary;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that:

1. That portion of The Driftway accessed from CR 625 shall henceforth be known as “Driftway East” and that portion of The Driftway accessed from Baptist Church Road shall be known as “Driftway West”;
2. Appropriate signage shall be erected designating the private roads to be known as Driftway East and Driftway West, at the expense of Union Township;
3. The address changes for the houses designated on the attached Schedule A are hereby adopted effective July 1, 2008;
4. Notification of the address changes authorized herein shall be sent by the Union Township 911 Coordinator to all of the residents of Driftway East and Driftway West, to the Hampton Postmaster, the Hunterdon County 911 Coordinator and the Union Township Tax Assessor and Tax Collector;
5. The renaming of The Driftway to Driftway East and Driftway West and the assigning of new numbers to the houses thereon are for emergency identification purposes only, and shall not constitute acceptance of said private roads as public streets or roads of the Township of Union;
6. It shall be the responsibility of each resident of Driftway East and Driftway West to post the new street numbers on their affected residences on or before June 1, 2008.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, and the new house numbers approved herein shall be utilized as of June 1, 2008.
The above resolution was tabled at this time.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

- b. The following resolution was introduced for adoption:

**RESOLUTION #2008-
UNION TOWNSHIP, HUNTERDON COUNTY
2008 WEBSITE MANAGEMENT AND MAINTENANCE SERVICE CONTRACT**

The above resolution was tabled due to missing documents as per State requirements.

- c. The following resolution was introduced for adoption:

**RESOLUTION #2008-42
UNION TOWNSHIP, HUNTERDON COUNTY
2007 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Maser Consulting P. A.**

WHEREAS, the Township of Union has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm of Maser Consulting P.A., has completed and submitted a Business Entity Disclosure Certification which certified that Maser Consulting P.A. has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit Maser Consulting P.A. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Maser Consulting P.A. as follows:

1. The Engineer shall be compensated at the hourly rate for all engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Maser Consulting P.A. under the direct supervision of C. Richard Roseberry, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2008, to December 31, 2008.
4. The Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and also part of this agreement.
6. Maser Consulting P.A. will carry, at its expense, during the appointment period professional liability insurance.

7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be revised to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

8. A notice of this action shall be printed once in the official newspaper.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2008 Temporary/Adopted Budget to award a contract to Maser Consulting P.A. under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Severino seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

NEW BUSINESS

a. Reappointments – Union Twp. Prosecutor and Public Defender for the remainder of the 2008

Mrs. Dziubek motioned to extend appointment of the Union Twp. Prosecutor and Public Defender for the balance of the year 2008. Mr. Severino seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

NEW ORDINANCE – 1ST Reading – none

REPORTS

a. Engineer's Report – Mr. Reymann reported the following:

- Edna Mahon Frontage Road Connection – briefly reviewed letter from the Mayor to NJDOT dated February 19, 2008 with Brian Mulcahy, Project Manager for Frontage Rd. Connection. He will talk to their traffic consultants about Township's concerns.
- Grand Colonial – as of 10:00 am this morning they have not complied with all outstanding issues regarding temporary CO. Peter Ball, building inspector assigned to this site, is scheduled for a building inspection today. Will monitor the issue and keep the Committee posted.
- Resident at 727 Marudy Drive concerned with excessive runoff crossing his property. It appears that the storm grates are clogged. The Road Dept. has cleaned the drains.
- Mr. Haynes brought up an issue of the Fire District Map drawn by Twp. Engineer. He said that the only official and valid Fire District Map has to come from County Communication Dept. Disclaimer will be placed on the copy going in the Township's Newsletter.
- Talked about MIS software system for construction office. Twp. Engineer presented a quote from a different company providing the same service. After a brief discussion, it was decided that a system is going to be purchased and implemented. Decision on which one will be made in the near future. Committee would like to see a hard copy of this software.

b. Attorney's Report – Mr. Jost reported the following:

- Contacted Joe Martin regarding farmhouse at Lookout Pointe Development. Mr. Martin agreed that the Historical Society would go and see the house.
- Is going to attend NJ Transit meeting tomorrow morning.
- Contacted Mr. Hintz on getting a scope of work and costs involved to revisit the Hoffman property. He will get back to Mr. Jost regarding this issue.
- Has sent e-mail to Committee members about the surplus property on Van Syckle's Rd that is for sale by the State. Called Mr. Hintz's office to inquire if the house located on the property could be used for COAH, but did not get a response yet.
- Suggested releasing an old maintenance guarantee to Fox Chase Development already expired in May of 2006. John Reymann, Twp. Engineer agreed that it should be released. The following resolution was introduced for adoption:

Resolution 2008-43**Re: Resolution Releasing Maintenance Guarantee
Fox Chase of Hunterdon, LLC**

WHEREAS, Fox Chase of Hunterdon, LLC ('developer'), c/o PBI, P.O. Box 587, Annandale, New Jersey 08801, entered into a maintenance guarantee dated May 19, 2004 with the Township of Union covering the development known as Fox Chase, Block 25, Lots 28 and 30, Perryville Road, in the Township of Union ("development"); and

WHEREAS, the maintenance period expired on May 19, 2006; and

WHEREAS, William Burr of Maser Consulting advised on August 16, 2007 that he was not aware of any outstanding issues with regard to said development, and good cause appearing;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the developer's maintenance guarantee in the amount \$149,029.20, together with accrued interest, shall be returned to the developer, Fox Chase of Hunterdon, LLC, c/o PBI, P.O. Box 587, Annandale, New Jersey 08801, subject however, to payment of any outstanding professional escrow bills to be submitted within ten days from the date of this resolution.

Mr. Severino made a motion to adopt the above resolution. Mrs. Dziubek seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

c. Mayor's Report

- Met with Freeholder Mennen about Edna Mohan Project. Mayor stated that it seemed Freeholder Mennen was not aware of all issues regarding the project. He provided Mr. Mennen with a copy of the resolution/w conditions about \$1.5 million dollar contribution for the Milligan Farm. Freeholder Mennen said he would review it and respond back to the Mayor.
- Asked about progress on Milligan Farm. Attorney Jost stated that things are finally moving forward on both State and County level.

d. Committee Report

Mr. Severino reported the following:

- Inquired about winterizing Hoffman's house. Advised by the plumber, Mr. Severino suggested not to do anything this winter, but look into the issue again before next winter.

- No decision or resolution was rendered on recycling mandates from the County.

Mrs. Dziubek reported the following:

- Together with Mr. Haynes attended COAH meeting with Attorney Koenig and Marybeth Lonergan regarding RFP's for COAH project. Mr. Haynes briefly explained what RFP is. Resolution to advertise for proposals should be adopted as soon as it is available.
- Was asked by the Red Hat Society to adopt a proclamation on their 10th Anniversary. Clerk will prepare the proclamation for the next Committee Meeting.

Mr. Haynes reported the following:

- Announced donation by Foster Wheeler of a used pick-up truck to the Township. The following resolution was introduced for adoption:

RESOLUTION #2008-44

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF UNION, HUNTERDON COUNTY TO
ACCEPT DONATION FROM FOSTER WHEELER CORPORATION OF FORD PICK-UP
TRUCK FOR USE BY THE TOWNSHIP**

WHEREAS, the Foster Wheeler Corp. would like to donate a used pick-up truck, in as is condition, for use by the Township of Union; and

WHEREAS, the vehicle should be placed under Township's insurance upon arrival; and

NOW, THEREFORE BE IT RESOLVED: That the Township Committee accepts the donation with thanks to the donor for their generosity.

Mr. Severino made a motion to adopt the above resolution. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

- Would like for the Township Zoning Officer to submit monthly report. Clerk was directed to communicate with the Zoning Officer on the issue.
- Asked if the Committee would like to discuss park attendant job description at tonight's meeting. The Committee agreed to wait for a meeting with all members present.

At this time, Mayor Mazza mentioned a phone discussion with Township resident concerning notification to residents of payments due to the Township such as animal registration and taxes.

e. Clerk's Report

- Raffle License #2008-7; St. John Neumann Church; Off Premise Merchandise; 05/08/08

Mrs. Dziubek made a motion to approve Raffle License 2008-7. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

PUBLIC COMMENTS

Sue Sharpe asked the date for introduction of municipal budget. March 19th was the earliest date, stated the Clerk. She also asked the status of billboard sign litigation. Attorney Jost said plaintiff's application for temporary restraints was dismissed and they are going to file a motion for summary judgment.

PAYMENT OF THE BILLS – Mr. Severino moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 8:58 PM

Respectfully submitted,

Ella Malecki Ruta, RMC
Municipal Clerk